

AMENDED IN SENATE APRIL 16, 2009

SENATE BILL

No. 531

Introduced by Senator DeSaulnier

February 27, 2009

~~An act to add and repeal Chapter 5.2 (commencing with Section 42260) of Part 3 of Division 30 of the Public Resources Code, relating~~
An act to amend Section 42253 of the Public Resources Code, relating
to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

SB 531, as amended, DeSaulnier. Solid waste: ~~single-use carryout bags; at-store recycling program.~~

Existing law requires an operator of a store, as defined, to establish an at-store recycling program that provides to customers the opportunity to return clean plastic carryout bags to that store. Under existing law, the California Integrated Waste Management Board administers laws related to waste management.

Existing law requires that the manufacturer of plastic carryout bags develop educational materials to encourage the reducing, reusing, and recycling of plastic bags and make those materials available to stores required to comply with the program.

This bill would require that in developing the educational materials for use on and after July 1, 2011, the manufacturer to consult with specified entities. The bill would authorize the board to modify, and require the board to approve those educational materials. The bill would also set minimum requirements for information to be included in the educational materials, including, but not limited to, information regarding the requirements for compliance with the program, an Internet Web site with a training program for store personnel and customers

on implementing the program, and materials and resources for stores for education of consumers at point of sale.

~~Existing law requires an operator of a store, as defined, to establish an at-store recycling program that provides to customers the opportunity to return clean plastic carryout bags to that store. Under existing law, the California Integrated Waste Management Board (board) administers laws related to waste management.~~

~~This bill would establish the Single-use Carryout Bag Responsibility Act and would require, on and after July 1, 2011, the suppliers, as defined, of plastic or paper single-use carryout bags to remit a Single-use Carryout Bag Responsibility Fee of \$0.001, to the State Board of Equalization, for each paper or plastic single-use carryout bag supplied directly to a store. The State Board of Equalization would be required to deposit the fee into the Single-use Carryout Bag Responsibility Fund that would be established in the State Treasury.~~

~~The bill would require the board to administer and enforce the provisions of the act, excluding the administration and collection of the fees which would be done by the State Board of Equalization. On or before January 1, 2013, the board would be required to submit a report to the Legislature evaluating the effectiveness of this chapter.~~

~~The bill would require the moneys in the fund to be expended, upon appropriation, by the Legislature for the Single-Use Carryout Bag Litter Abatement Program under which grant awards would be allocated to specified entities for the purpose of abating and cleaning up single-use carryout bags that become litter and encouraging the proper disposal and collection of single-use carryout bags, and by the board for implementation of the program and for administrative costs not to exceed 5% of the funds made available annually for the program or an amount otherwise specified in the annual Budget Act.~~

~~The act would be repealed as of January 1, 2018.~~

~~The bill would authorize the board to develop a voluntary best practices program.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 42253 of the Public Resources Code is
2 amended to read:

1 42253. (a) The manufacturer of a plastic carryout bag shall
2 develop educational materials to encourage the reducing, reusing,
3 and recycling of plastic bags and shall make those materials
4 available to stores required to comply with this chapter.

5 (b) *In developing the educational materials for use on and after*
6 *July 1, 2011, the manufacturer shall consult with the board, the*
7 *League of California Cities, the California State Association of*
8 *Counties, private and public waste services, and stores.*

9 (c) *The educational materials may be modified by the board*
10 *and shall be approved by the board by January 1, 2011.*

11 (d) *The educational materials shall include, but are not limited*
12 *to, the following information:*

13 (1) *The requirements for compliance with this chapter.*

14 (2) *Use of reusable bags, including monetary credits to the*
15 *consumer for the use of reusable bags.*

16 (3) *Limits on the need for the use of plastic carryout bags and*
17 *the number of plastic carryout bags.*

18 (4) *Maximum item count and weight capacity of plastic carryout*
19 *bags and reusable bags.*

20 (5) *Estimated costs of the manufacture, use, environmental*
21 *impacts, and disposal of plastic carryout bags.*

22 (6) *An Internet Web site with an online training program for*
23 *store personnel and customers on implementing this chapter.*

24 (7) *Materials and resources for stores for the education of*
25 *consumers at the point of sale, including signage and other*
26 *educational methods.*

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29 **All matter omitted in this version of the bill**
30 **appears in the bill as introduced in the**
31 **Senate, February 27, 2009 (JR11)**
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